

## **AN ORDINANCE REGULATING GOLF CARTS**

**WHEREAS**, pursuant to G.S. § 160A-300.6, as enacted by the North Carolina General Assembly, the City is authorized to regulate the operation of golf carts upon any public street or road within the City where the speed limit is 35 mph or less, and upon any municipal property; and

**WHEREAS**, the City of Southport wishes to regulate the operation of golf carts in order to promote public safety;

**NOW THEREFORE, BE IT ORDAINED** by the Board of Alderman of the City of Southport as follows:

### Section I. Golf Carts

#### **(A) Operation on public streets and roads.**

It is unlawful to operate a golf cart on any public street or road within the City except in accordance with the following regulations:

- (1) The golf cart may only be operated on streets and roads that have a posted speed limit of 35 miles per hour or less.
- (2) No person under the age of 16 may operate a golf cart upon the streets and highways of Southport.
- (3) Only the number of people the golf cart is designed to seat may ride on a golf cart; specifically passengers shall not be carried on the part of a golf cart designed to carry golf bags.
- (4) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 20 miles per hour.
- (5) No golf cart may be operated in a careless or reckless manner.
- (6) Golf carts must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic.
- (7) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.
- (8) Golf carts must have the following equipment:
  - (1) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror,
  - (2) A Vehicle Identification Number (VIN),
  - (3) A parking brake,
  - (4) A Type 1 or Type 2 seat belt assembly conforming to Sec. 571.209 of the Federal Motor Vehicle Safety Standard No. 209, *Seat belt assemblies*, installed at each designated seating position.

- (9) Golf carts must have the following equipment if operated at night:
- (1) Headlamps,
  - (2) Front and rear turn signal lamps,
  - (3) Taillamps,
  - (4) Stop lamps
- (10) Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles or in parking spaces specifically dedicated for golf cart parking.
- (11) Golf carts may not be used as a taxicab or bus or for the commercial carrying of passengers or the hauling of freight.
- (12) All golf carts are required to maintain liability insurance at the same level as required for automobiles.
- (13) Golf carts shall not be operated on or across any public or private properties without the permission of the property owner.
- (14) During an emergency situation or at a special event, any police officer supervising or controlling traffic may direct that golf carts be operated only on or upon certain streets or locations as directed by the officer.
- (B) In order to operate a golf cart under this ordinance, the golf cart must be registered annually with the City of Southport. A \$ 25 per year registration fee, from July 1 through June 30, must be paid to the City before a registration sticker is issued. The registration sticker must be displayed on the left rear fender of the golf cart.
- (C) In addition to constituting a misdemeanor or infraction as provided by G.S. 14-4, violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$ 50 for each separate of distinct offense to be recovered by the city in an action in the nature of debt if not paid by the offender within 72 hours after being cited for the violation.
- (D) **Liability disclaimer.** This section is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on the public streets and the city is no way advocates or endorses their operation on public streets or roads. The City, by regulating this operation, is addressing obvious safety issues, and adoption of this section is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this section. All persons who operate or ride upon golf carts on public streets or roads do so at their own risk and peril, and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians. The City has no liability under any theory of liability and the city assumes no liability, for

permitting golf carts to be operated on the public streets and roads under the special legislation granted by the state legislature.

APPROVED BY BOARD OF ALDERMEN

DATE: 6-12-2014

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